

## UNITED STATES DISTRICT COURT

for the

District of Massachusetts

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Tiffany Cance

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Kelsey Thomassen

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☐ No

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Tiffany Cance17 Camp Street #2Worcester, WorcesterMASSACHUSETTS 01603848-863-7634tiffany374062@gmail.com.

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 1 (Rev. 09/16) Complaint for a Civil Case

## Defendant No. 1

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

Kelsey Thomassen.  
Attorney  
11. Foster Street Suite 100  
Worcester, Worcester  
MASSACHUSETTS 01608  
508-963-2970

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## Defendant No. 2

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

## Defendant No. 3

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

## Defendant No. 4

Name  
Job or Title *(if known)*  
Street Address  
City and County  
State and Zip Code  
Telephone Number  
E-mail Address *(if known)*

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**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case. 28 U.S. CODE 4101 (1) 320 ASSAULT, LIBEL and Slander Defamation per se category 4. Indications that a person was involved in behavior incompatible with proper conduct of his business, trade or profession.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_.

**b. If the plaintiff is a corporation**

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under  
the laws of the State of (name) \_\_\_\_\_, and has its  
principal place of business in the State of (name) \_\_\_\_\_  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_  
and has its principal place of business in (name) \_\_\_\_\_

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

250,000.00

If MS. Kelsey Thomassen had done her job,  
this situation would not have been allowed to move  
forward.

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

My family has been continuously abused because  
of Kelsey Thomassen failure to do her job.

I have attached additional pages with statements  
of fact. ATTACHMENT 2 pages

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

this is an ongoing situation that Kelsey Thomassen  
could have put a stop to on October 24th 2018 Wednesday  
My character as a mother is still being attacked  
based on factless statements made by the Department  
of Children and Families. My children have

ATTACHMENT 1 page

### III. Statement of Claim

#### FACTS

1. October 19<sup>th</sup>, 2018 Friday Kelsey Thomassen was assigned to my case 18CP0471WC as my court appointed attorney.
2. October 24<sup>th</sup>, 2018 Wednesday Scheduled 72 hour hearing first met Kelsey Thomassen.
3. Kelsey Thomassen informed me of what the Department of Children and Families was accusing me of.
4. I was be accused of leaving my children at home overnight alone while I was at work.
5. I then informed Kelsey Thomassen Ms. Isaura the overnight sitter is here.
6. I informed Kelsey Thomassen I use Hi Class Limousine Service to transport me and the children to and from Ms. Isaura's house and provided her with the phone number as well as the address.
7. I asked Kelsey Thomassen how were they able to take the children from me on Friday October 19<sup>th</sup>, 2018?
8. I explained to Kelsey Thomassen the Department of Children and Families never entered my home and never removed my sons from my home because they were found unattended.
9. October 24<sup>th</sup>, 2018 Wednesday Worcester County Courthouse Kelsey Thomassen stated "my innocence didn't matter all that mattered is what the Department of Children and Families says in Courtroom 4.
10. October 24<sup>th</sup>, 2018 Wednesday Worcester County Courthouse Kelsey Thomassen stated "if I didn't do what the Department of Children and Families wanted they would keep my children and adopt them out.
11. Kelsey Thomassen then gave me the 51a's that were filed on the 17<sup>th</sup> Wednesday, 18<sup>th</sup> Thursday and 19<sup>th</sup> Friday of October 2018.

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12. October 19<sup>th</sup>, 2018 Friday Department of Children and Families Supervisor Alyssa Bristol filed a 51a stating "she witnessed me (Tiffany Cancel) walk my son Joaquin at 7:15am to the bus stop and leave my younger son at home alone.
13. I immediately informed Kelsey Thomassen that Alyssa Bristol's report is a lie and was used to meet the state requirement for the immediate removal of the children.
14. I informed Kelsey Thomassen Child Development (354 West Boylston Street Suite 112, West Boylston, Massachusetts 01583. 508-852-5020) and Transpro Transportation (10 Cabot Road, Suite 201, Medford, Massachusetts 02155. 800-884-4972) can provide there records and it will show Alyssa Bristol absolutely lied.
15. Kelsey Thomassen said she didn't have time to call and we had to be in court in a few minutes.
16. Kelsey Thomassen did not question Ms. Isaura (overnight sitter) while she was on the stand.
17. Kelsey Thomassen did not cross examine Department of Children and Families Social Worker Patrick Brank.
18. Kelsey Thomassen did not cross examine Department of Children and Families Supervisor Alyssa Bristol.
19. Kelsey Thomassen did nothing on October 24<sup>th</sup>, 2018 Wednesday to help me get my sons home.

October 28<sup>th</sup> 2020 Wednesday

TJH

Tiffany Cancel

#### IV Relief

Suffered non stop abuse since being with the department. My sons who had no history of behavioral problems from school or daycare. My youngest son is now being forced to take Adderall because he wants to come home. Adderall which has severe effects on small children. He has been since he was 5.

General Damages compensation for the past and future harm sustained to my reputation in the community as well as mental or emotional anguish and personal humiliation

Special Damages I had to quit my overnight job to help get my children back. So now I had only one part time job.

Punitive or Exemplary Damages Kelsey Thomassens actions were willful and malicious.

October 28<sup>th</sup> 2020 Wednesday.



Tiffany Cance

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**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: October 28<sup>th</sup> 2020 Wednesday

Signature of Plaintiff

Printed Name of Plaintiff

Tiffany Carter

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address